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PTO/SB/21 (08-00)

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2826

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/939,253
Filing Date	August 24, 2001
First Named Inventor	James M. Derderian
Group Art Unit	2826
Examiner Name	A. Williams
Attorney Docket Number	2269-4830US (01-0106)

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Postcard receipt acknowledgment (attached to the front of this transmittal)	<input type="checkbox"/> Information Disclosure Statement, PTO/SB/08A (08-00); <input type="checkbox"/> copy of cited references	<input type="checkbox"/> Terminal Disclaimer
<input checked="" type="checkbox"/> Duplicate copy of this transmittal sheet in the event that additional filing fees are required under 37 C.F.R. § 1.16	<input type="checkbox"/> Supplemental Information Disclosure Statement; PTO/SB/08A (08-00); copy of cited references and Check No. in the amount of \$180.00	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Associate Power of Attorney	<input type="checkbox"/> Terminal Disclaimer
<input checked="" type="checkbox"/> Response to Restriction Requirement/Election of Species Requirement dated August 8, 2002	<input type="checkbox"/> Petition for Extension of Time and Check No. in the amount of \$	
<input type="checkbox"/> Amendment in response to office action dated	<input type="checkbox"/> Petition	
<input type="checkbox"/> Amendment under 37 C.F.R. § 1.116 in response to final office action dated	<input type="checkbox"/> Fee Transmittal Form	
<input type="checkbox"/> Additional claims fee - Check No. in the amount of \$	<input type="checkbox"/> Certified Copy of Priority Document(s)	
<input type="checkbox"/> Letter to Chief Draftsman and copy of FIGS. with changes made in red	<input type="checkbox"/> Assignment Papers (for an Application)	
<input type="checkbox"/> Transmittal of Formal Drawings		
<input type="checkbox"/> Formal Drawings ( sheets)		
Remarks		
The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account 20-1469 during pendency of this application.		

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Brock G. Power	Registration No. 38,581
Signature		
Date	August 14, 2002	

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Typed or printed name	Deidra Pfeil	Date	August 14, 2002
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#11 / Election  
9/4/02  
PATENT *Mousis*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James M. Derderian

Serial No.: 09/939,253

Filed: August 24, 2001

For: SPACER FOR SEMICONDUCTOR

Examiner: A. Williams

Group Art Unit: 2826

Attorney Docket No.: 4830US (01-0106)

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August 14, 2002  
Date of Deposit

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Deidra Pfeil  
Typed/printed name of person whose signature is contained above

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Dear Sir:

This communication is in response to the Election of Species Requirement of August 8, 2002, a response to which is due on or before September 8, 2002.

**Election of Species Requirement**

The Election of Species Requirement of August 8, 2002, in the above-referenced application has been received and reviewed.

The Election of Species Requirement does not explicitly identify any species of invention, but merely provides that the “patentably distinct species of the claims invention” include “[a]ny of the species in figures 1 to 12.”

Claims 1-67, which are currently under consideration in the above-referenced application, are drawn to a semiconductor device for use in a stacked multi-chip assembly (claims 1-18), a semiconductor device assembly (claims 19-44), a multi-chip module (claims 45-67).

Many of FIGs. 1-12 of the above-referenced application, including FIGs. 5, 6A-6D, 7A-7D, and 8, depict methods for fabricating the semiconductor devices and, therefore, are not species of invention that apply to the claims that are currently under consideration.

With respect to the remaining figures, it is respectfully submitted that the following species of invention are shown:

Species 1, shown in FIGs. 1 and 2: semiconductor devices with spacers on active surfaces thereof;

Species 2, depicted in FIG. 3: semiconductor devices with spacers on back sides thereof;

Species 3, illustrated in FIG. 4: semiconductor devices with spacers on both the active surfaces and back sides thereof;

Species 4, shown in FIGs. 9 and 11: assemblies of semiconductor devices in stacked arrangement, with bond pads of each lower semiconductor device exposed laterally beyond the spacers that are on a surface of the semiconductor device;

Species 5, shown in FIGs. 9A and 9B: assemblies of semiconductor devices in stacked arrangement, with spacers formed over intermediate conductive elements extending from bond pads of a lower one of the semiconductor devices;

Species 6, shown in FIG. 9C: assemblies of semiconductor devices in stacked arrangement with leads electrically connected to bond pads of at least a lower one of the semiconductor devices;

Species 7, shown in FIG. 10: assemblies of semiconductor devices in stacked arrangement with spacers on the bottom of an upper one of the semiconductor devices and spacers on the active surface of the next-lower semiconductor device abutting one another; and

Species 8, illustrated in FIG. 12: packages that include stacked assemblies.

It is respectfully submitted that claims 1-13, 14, 17, and 18 read on Species 1, that claims 1-13, 15, 17, and 18 read on Species 2, and that claims 1-13, 16, 17, and 18 read on Species 3. It is, therefore, respectfully submitted that claims 1-13, 17, and 18 are generic to each of Species 1, 2, and 3.

It is also respectfully submitted that claims 19-40 and 41 read on Species 4, that claims 19-40 read on Species 5, that claims 19-40 also read on Species 6, claims 19-40 and 42-44 read on Species 7, and that claims 19-40 and 45-67 read on Species 8. It is, therefore, respectfully submitted that claims 19-40 are generic to each of species 4, 5, 6, 7, and 8.

As the assemblies and packages of Species 4-8 also include semiconductor devices of the types recited in claims 1-13, 17, and 18, it is also submitted that, in addition to being generic to Species 1, 2, and 3, each of claims 1-13, 17, and 18 also read on and are generic to each of Species 4-8.

An election is hereby made, without traverse, to prosecute the invention of Species 7, on which at least claims 1-13, 17, 18, 19-40, and 42-44 read.

Nonetheless, as it is believed that claims 1-13, 17, and 18 are generic to each of the above-identified species, it is respectfully submitted that all of claims 1-67 should remain under consideration in the above-referenced application.

**Information Disclosure Statement**

Please note that an Information Disclosure Statement was filed in the above-referenced application on August 24, 2001, but that an initialed copy of the PTO-1449 that accompanied that Information Disclosure Statement has not yet been returned to the undersigned attorney. It is respectfully requested that the information cited in the Information Disclosure Statement and listed on the accompanying PTO-1449 be considered and made of record in the above-referenced application and that an initialed copy of the PTO-1449 evidencing the same be returned to the undersigned attorney.

Following consideration of the referenced cited in the Information Disclosure Statement and of this Response, an early action on the merits is respectfully requested.

Respectfully submitted,



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Date: August 14, 2002

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